

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Mitchell P. Fink, Luis Ulloa, Kevin J. Tracey and Russell L. Delude
Application No.: 10/662,975 Group: 1614
Filed: September 15, 2003 Examiner: Raymond J. Henley, III
Confirmation No.: 2253



METHOD OF USING PYRUVATE AND/OR ITS DERIVATIVES
FOR THE TREATMENT OF CYTOKINE MEDIATED
INFLAMMATORY CONDITIONS

| | |
|--|------------------------|
| CERTIFICATE OF MAILING OR TRANSMISSION | |
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on | |
| 11-01-04 | <i>Donna Bartolone</i> |
| Date | Signature |
| <i>Donna Bartolone</i> | |
| Typed or printed name of person signing certificate | |

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment for filing in the above-identified application.

- [] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.
- [] A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

The fee has been calculated as shown below:

| (COL. 1) | (COL. 2) | (COL. 3) |
|---|---|---------------------------------------|
| | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NO. PREVIOUSLY PAID FOR |
| TOTAL | 31 | MINUS * 31 |
| INDEP | 2 | MINUS ** 3 |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | |

* not fewer than 20
** not fewer than 3

| SMALL ENTITY | |
|--------------|---------------|
| RATE | ADDIT. FEE |
| X \$9 | \$ |
| X \$44 | \$ |
| + \$150 | \$ |

TOTAL = \$ 0

| OTHER THAN SMALL ENTITY | |
|----------------------------|---------------|
| RATE | ADDIT. FEE |
| X \$18 | \$ 0 |
| X \$88 | \$ 0 |
| + \$300 | \$ |

TOTAL = \$ 0

Please charge Deposit Account No. 08-0380 for the following fees:

| | | |
|--------------------------|---|-------------|
| <input type="checkbox"/> | Petition for [] month Extension of Time | \$ _____ |
| <input type="checkbox"/> | Amendment Fee | \$ _____ |
| <input type="checkbox"/> | Other Fees: | |
| | _____ | \$ _____ |
| | _____ | \$ _____ |
| | TOTAL: | \$ <u>0</u> |

A check is enclosed in payment of the following fees:

| | | |
|-------------------------------------|--|---------------|
| <input checked="" type="checkbox"/> | Petition for one month Extension of Time | \$ <u>110</u> |
| <input type="checkbox"/> | Amendment Fee | \$ _____ |
| <input type="checkbox"/> | Other Fees: | |
| | _____ | \$ _____ |
| | _____ | \$ _____ |
| | TOTAL: | \$ <u>110</u> |

☒ A general authorization is hereby granted to charge Deposit Account No. 08-0380 for any fees required under 37 C.F.R. 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Alexander Akhiezer
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Dated: 11/1/04